

**FORTY-NINTH DAY**  
(Monday, April 10, 1995)

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend John B. Musgrave, Vicar, St. Alban's Episcopal Church, Austin, offered the invocation as follows:

Almighty God, we give You thanks for the life that You give us and the wisdom and grace to promote and preserve justice and freedom for all. We pray that You would so guide and bless our Senators here assembled that they may enact such laws as may be pleasing to You and that their decisions may be wise and work for the well-being of all people. All this we ask for the sake of Jesus Christ and to the honor and glory of Your holy name. Amen.

On motion of Senator Sims and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 6, 1995, was dispensed with and the Journal was approved.

**SENATOR AND MRS. SIMS WELCOMED**

The President and Members welcomed back to the Senate with a standing ovation Senator Sims, accompanied by his wife, Sue. Senator Sims had been absent due to illness since January 30, 1995.

**CO-AUTHOR OF SENATE BILL 357**

On motion of Senator Sibley and by unanimous consent, Senator Wentworth will be shown as Co-author of **S.B. 357**.

**CO-AUTHOR OF SENATE BILL 606**

On motion of Senator Zaffirini and by unanimous consent, Senator Moncrief will be shown as Co-author of **S.B. 606**.

**CO-AUTHOR OF SENATE BILL 607**

On motion of Senator Zaffirini and by unanimous consent, Senator Moncrief will be shown as Co-author of **S.B. 607**.

**CO-AUTHOR OF SENATE BILL 635**

On motion of Senator West and by unanimous consent, Senator Gallegos will be shown as Co-author of **S.B. 635**.

**CO-AUTHOR OF SENATE BILL 660**

On motion of Senator Luna and by unanimous consent, Senator Moncrief will be shown as Co-author of **S.B. 660**.

**CO-AUTHOR OF SENATE BILL 799**

On motion of Senator Luna and by unanimous consent, Senator Moncrief will be shown as Co-author of **S.B. 799**.

**CO-AUTHORS OF SENATE BILL 979**

On motion of Senator Sibley and by unanimous consent, Senators Nixon and Sims will be shown as Co-authors of **S.B. 979**.

**CO-AUTHORS OF SENATE BILL 1280**

On motion of Senator Sibley and by unanimous consent, Senators Nixon and Sims will be shown as Co-authors of **S.B. 1280**.

**CO-AUTHOR WITHDRAWN**

Senator Armbrister requested the removal of his name as Co-author of **S.B. 574**.

The request was granted.

**MESSAGE FROM THE HOUSE**

House Chamber  
April 10, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 97**, Relating to controlled killing of, attempting to injure, certain uses of, and possession of certain dangerous wild animals; providing a criminal penalty. (As amended)

**S.B. 25**, Relating to exemplary damages in civil suits. (As substituted and amended)

**S.B. 584**, Relating to the authority of Dallas County Utility and Reclamation District to enter into tax abatement agreements, to designate reinvestment zones and to utilize all functions and procedures of Chapter 312, Tax Code; and validating prior elections and other actions and contracts. (As amended)

**S.B. 253**, Relating to meetings of the Commissioners Court of Harris County. (As substituted)

**S.B. 315**, Relating to the testing of gas well deliverability and pressure.

**S.B. 222**, Relating to a prohibition of the requirement of a polygraph examination of a complainant as a condition of charging a defendant accused of certain criminal offenses.

**S.C.R. 118**, Proclaiming the week of April 9 through April 15, 1995, as Institute of Texas Cultures Week.

**H.B. 160**, Relating to the regulation of litter by counties.

**H.B. 200**, Relating to professional surveying.

**H.B. 383**, Relating to liability of certain governmental units and to the employees and officers of those units.

**H.B. 475**, Relating to the right to divert state water for irrigation of certain cemeteries.

**H.B. 609**, Relating to the use of municipal hotel occupancy tax revenue.

**H.B. 645**, Relating to municipal approval of certain amending plats.

**H.B. 654**, Relating to permitting a sequestered juror to vote on election day.

**H.B. 670**, Relating to permitting competitive hunting dog events on certain state-controlled property.

**H.B. 767**, Relating to the terms of court of the 142nd District Court.

**H.B. 776**, Relating to the acceptance of certain federal funds by the Texas Department of Insurance.

**H.B. 941**, Relating to the service and return of a subpoena in a criminal proceeding.

**H.B. 984**, Relating to the filing of a conduct surety bond by certain alcoholic beverage permit or license holders.

**H.B. 674**, Relating to the eligibility of certain persons to serve as members of an appraisal review board.

**H.B. 1028**, Relating to the enforcement of certain regulations regarding the employment of children.

**H.B. 1029**, Relating to the operation and administration of the state unemployment compensation system.

**H.B. 1031**, Relating to the collection of certain unpaid wages.

**H.B. 1144**, Relating to workers' compensation insurance coverage for certain volunteer emergency medical technicians.

**H.B. 1030**, Relating to extended benefits for unemployment compensation.

**H.B. 1187**, Relating to the dissolution of the El Paso County Water Control and Improvement District—Westway, the provision of water supply and sewer services to the residents of the district after dissolution, and the rates charged for water and sewer service by the City of El Paso; validating certain actions of the district's board of directors.

**H.B. 1302**, Relating to the powers of the Tanglewood Forest Municipal Utility District.

**H.B. 1323**, Relating to the employment of children; providing a criminal penalty.

**H.B. 1337**, Relating to the provision by a public junior college of remedial programs for students enrolled in secondary schools in an independent school district in the junior college's service area.

**H.B. 1343**, Relating to inmate grievances and frivolous or malicious litigation filed by inmates.

**H.B. 1393**, Relating to the impaneling of a new jury after a jury fails to return a verdict.

**H.B. 1475**, Relating to counties authorized to employ a purchasing agent.

**H.B. 1486**, Relating to the juvenile board of Mitchell County.

**H.B. 1600**, Relating to changing the name of the El Paso County Lower Valley Water District Authority to the Lower Valley Water District.

**H.B. 1647**, Relating to purchasing and contracting authority of municipalities.

**H.B. 1736**, Relating to termination of certain agreements between suppliers of and dealers in farm, industrial, and outdoor power equipment.

**H.B. 1754**, Relating to the authority to grant a waiver of the 72-hour waiting period for issuance of a marriage license.

**H.B. 2062**, Relating to the conversion to an elected board of certain mass transit authorities.

**H.B. 2096**, Relating to the appointment of a special judge to preside in a justice court in Harris County.

**H.B. 2171**, Relating to changing the name of the Commission on Jail Standards.

**H.B. 2173**, Relating to the requirement of separating certain classes of inmates in a county jail.

**H.B. 2183**, Relating to the creation of a mass transit department in cities of a certain population.

**H.B. 2230**, Relating to the election of commissioners of the Calhoun County Navigation District.

**H.B. 2373**, Relating to recommendations to the legislature by the supreme court concerning appellate courts.

**H.B. 2642**, Relating to the administration, powers, duties, operation, and financing of the Canadian River Municipal Water Authority.

**H.B. 2647**, Relating to the rules for general application of the Texas Department of Insurance.

**H.B. 2727**, Relating to the prosecution and punishment of certain criminal offenses and to the sentencing of certain defendants convicted of criminal offenses.

**H.B. 2998**, Relating to the composition of the Kaufman County Juvenile Board.

**H.B. 3157**, Relating to procedures for the removal of members of the governing boards of certain metropolitan rapid transit authorities.

**H.C.R. 53**, Designating Seaport Coffee as the official State Coffee of Texas.

Respectfully,

Cynthia Gerhardt, Chief Clerk  
House of Representatives

#### **RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled resolutions in the presence of the Senate:

**S.C.R. 97**  
**S.C.R. 100**  
**S.C.R. 111**  
**S.C.R. 112**

#### **INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

#### **PERMISSION TO INTRODUCE BILLS**

On motion of Senator Truan and by unanimous consent, Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) were suspended to permit the introduction of the following bills:

<b>S.B. 375</b>	<b>S.B. 1645</b>	<b>S.B. 1648</b>
<b>S.B. 1643</b>	<b>S.B. 1646</b>	<b>S.B. 1649</b>
<b>S.B. 1644</b>	<b>S.B. 1647</b>	<b>S.B. 1650</b>

#### **MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas  
April 10, 1995

**TO THE SENATE OF THE SEVENTY-FOURTH LEGISLATURE,  
REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

**TO BE MEMBERS OF TEXAS SOUTHERN UNIVERSITY BOARD OF  
REGENTS**, for terms to expire February 1, 2001:

**ENOS M. CABELL, JR.**  
4103 Frost Lake Court  
Missouri City, Texas 77459

Mr. Cabell will be replacing Odysseus M. Lanier of Houston, whose term expired.

PRESTON MOORE, JR.  
5823 Indian Trail  
Houston, Texas 77057

Mr. Moore will be replacing Frank H. Richardson of Houston, whose term expired.

GENE A. MOORE, SR., Ph.D.  
8730 South Acres Drive  
Houston, Texas 77047

Dr. Moore will be replacing Walter H. Criner of Houston, whose term expired.

Respectfully submitted,

/s/George W. Bush  
Governor of Texas

#### **SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The President announced the time had arrived to consider the executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given Thursday, April 6, 1995, by Senator Bivins.

Senator Bivins moved confirmation of the nominees reported Thursday, April 6, 1995, by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

#### **NOMINEES CONFIRMED**

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Members, Texas Department of Commerce Policy Board: SONIA PEREZ, Hidalgo County; WALTER H. CRINER, Harris County; ROBERT A. ESTRADA, Dallas County.

Members, General Services Commission: PAUL HOBBY, Harris County; ALPHONSO JACKSON, Dallas County; RAUL ROMERO, Harris County.

Judge of the 28th Judicial District Court, Nueces County: ROBERT C. PATE, Nueces County.

Public Counsel for the Office of Public Insurance Counsel: RODERICK A. BORDELON, JR., Travis County.

Members, Texas Appraiser Licensing and Certification Board: MARIA F. ALMANZA, El Paso County; HAYDEN WOODARD, Kimble County.

Members, Texas Energy Coordination Council: BETTY BAUER BRINK, Tarrant County; RICHARD L. GILBERT, Polk County; MICHAEL A. ROBERTS, JR., Harris County; THOMAS R. STANDISH, Harris County; DR. ROBERT R. WALTERS, Tarrant County.

Member, State Commission on Judicial Conduct: JACK PASQUAL, Bexar County.

Members, Texas Board of Licensure for Professional Medical Physicists: DR. STEWART C. BUSHONG, Harris County; DR. LOUIS H. DEITERMAN, Bell County.

Members, Texas State Board of Examiners of Perfusionists: SHANNON E. BALLARD, Travis County; SAMMIE LOU BRICKER, Lubbock County; DR. CARLOS H. CORRAL, El Paso County; JAMES O. FINES III, Tarrant County; CELESTE LANGLEY, Dallas County; WILLIE RANDOLPH, Harris County; TRUDI B. STAFFORD, Harris County; JOE W. STREET, Travis County; LINDA E. VACLAVIK, Williamson County.

Members, Texas Board of Physical Therapy Examiners: MARTIN INFANTE, Webb County; PENNY BUTLER PATTERSON, Smith County; THEODIS WARE, Tarrant County.

Members, Polygraph Examiners Board: LIEUTENANT MICHAEL C. GOUGLER, Williamson County; ROB L. KIMMONS, Harris County; BOB H. MUSSER, Harris County; WILLIAM H. QUIMBY, Dallas County.

Members, Radiation Advisory Board: DR. FREDERICK J. BONTE, Dallas County; FRANCES GONZALES, El Paso County; DR. DAVID N. HENKES, Bexar County; DR. GLEN KEITH KING, Fort Bend County; DR. JACK S. KROHMER, Williamson County; CONNIE ROGERS, Hays County.

#### **SENATE RULE 4.01 SUSPENDED (Decorum and Debate)**

On motion of Senator Ratliff and by unanimous consent, Senate Rule 4.01, as it relates to a Member rising in his or her place to speak in debate or communicate any matter to the Senate, was suspended in order that Senator Sims could remain seated while addressing the Senate.

#### **CONCLUSION OF MORNING CALL**

The President at 10:39 a.m. announced the conclusion of morning call.

#### **COMMITTEE SUBSTITUTE SENATE BILL 771 ON SECOND READING**

On motion of Senator Moncrief and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 771**, Relating to the authority of a county to lease real property to certain organizations and to the procedures for such leases.

The bill was read second time.

Senator Moncrief offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **C.S.S.B. 771** by striking Section 1 and inserting in lieu thereof the following:

"SECTION 1. Section 263.007, Local Government Code, is amended by adding a new subsection (e) to read as follows and renumbering subsequent sections accordingly:

(e) The commissioners court of a county may lease real property owned or controlled by the county that was formerly owned or controlled by the Texas Department of Mental Health and Mental Retardation to a federal, state, or local government entity for any purpose, or to a nonprofit organization that is exempt from federal taxation under Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3)), to conduct health and human service activities or such other activities which the commissioners court finds to be in the public interest, without using the sealed bid or sealed proposal process described in Subsection (a) and without using any other competitive bidding process which would otherwise be required by law. If the commissioners court of a county chooses to lease under this section, the commissioners court shall declare its intent to do so through written notice posted in the same place and manner as the commissioners court posts its regular meeting agenda not later than 30 days prior to the beginning of the lease period. In setting the terms and conditions of the lease, including but not limited to the amount of the lease payment, the commissioners court may consider local business custom regarding leases and the reasonable market value of the leasehold, but the commissioners court is not bound thereby and may also consider the extent to which the provision of services or the other activities to be performed by the leasee will benefit the public. This section does not limit the ability of a commissioners court to enter into interlocal agreements, contracts or any other arrangement permitted by law."

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 771 ON THIRD READING**

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 771** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.



**BILLS AND RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

H.B. 655  
H.B. 1527  
H.C.R. 19  
H.C.R. 88  
H.C.R. 122

**CAPITOL PHYSICIAN**

Senator Sims was recognized and presented Dr. Ralph Bailey of Gatesville as the "Doctor for the Day."

The Senate welcomed Dr. Bailey and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

**COMMITTEE SUBSTITUTE  
SENATE BILL 641 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 641**, Relating to administration and collection of certain insurance taxes.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 641 ON THIRD READING**

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 641** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**SENATE BILL 670 ON SECOND READING**

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 670**, Relating to expenses of state agencies and the compensation, expenses, and conditions of employment of state officers and employees.

The bill was read second time.

Senator Armbrister offered the following committee amendment to the bill:

**Committee Amendment No. 1**

Amend S.B. 670 as follows:

(1) On page 12, line 5, insert "during the same fiscal year" following "up".

(2) On page 21, line 14, strike "without further appropriation".

(3) Add the following to Section 42 of the bill:

"(3) Sections 403.005 and 403.016(e), Government Code, are repealed."

(4) Add the following after Section 41 of the bill and renumber the subsequent sections of the bill accordingly:

"SECTION 42. Section 403.016(f), Government Code, is amended to read as follows:

(f)(1) Except as provided by Subdivision (2) [Subsection (c)], the comptroller may use the electronic funds transfer system to pay a person only if the payment is deposited [deposit payments only] to one or more of the person's accounts [a payee's account] at one or more [a] financial institutions [institution]. This authorization is subject to any limitation adopted by the comptroller by rule, by an automated clearinghouse, or by the federal government.

(2) An employee's account at a credit union may be used to deposit part of the employee's net state salary if:

(A) the amount of the salary deposited to that account exceeds the amount of the salary deposited to any account of the employee at any other type of financial institution; or

(B) the requirements concerning deductions for payments to credit unions in Subchapter G, Chapter 659 and in the rules adopted by the comptroller under that subchapter are satisfied.

(3) A single electronic funds transfer may contain payments to multiple payees. Individual transfers or warrants are not required for each payee."

(5) Strike page 36, line 13 and substitute the following:

"(1) Sections 1-8, 10, 33-41, 45, and 46, which take".

The committee amendment was read and was adopted by a viva voce vote.

Senator Armbrister offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend S.B. 670 by adding the following where appropriate.

SECTION \_\_\_\_ Subtitle C, Government Code, is amended by adding Subchapter E to read as follows:

**SUBCHAPTER E. RETIREMENT INCENTIVES OF MEDICAL AND DENTAL UNITS.**

Sec. 826.001. RETIREMENT INCENTIVES. (a) A medical and dental unit may offer retirement incentives to employees of the unit who are eligible to retire under Subtitle C, Title 8, Government Code.

(b) A medical and dental unit offering retirement incentives shall provide the Legislative Budget Board with such information concerning the

incentives as may be required by the board, and shall file any incentives plan with the board at least sixty days before the date the plan is implemented.

(c) An employee receiving retirement incentives under this section may not be rehired by a medical and dental unit without the specific approval of the president of the unit. The president may not delegate this responsibility to any other employee of the unit.

(d) Any retirement incentive offered by a medical and dental unit must be paid from institutional funds or hospital or clinic fees.

(e) A retirement incentive paid by a medical and dental unit to a person is not subject to any provision of state law that entitles a person to any benefits based on salary or compensation, including but not limited to contributions provided for in Subtitle C, Title 8, Government Code.

(f) As used in this section:

(1) "Institutional funds" has the meaning assigned by Sec. 51.009, Education Code.

(2) "Medical and dental unit" has the meaning assigned by Section 61.003, Education Code and includes any health care facility operated by a medical and dental unit or health science center.

The amendment was read and was adopted by a viva voce vote.

Senator Armbrister offered the following amendment to the bill:

#### **Floor Amendment No. 2**

Amend **S.B. 670** by placing the following SECTIONS where appropriate:

SECTION \_\_\_\_ . Section 830.201, Government Code, is amended by adding subsections (d) and (e) to read as follows:

(d) For a person who first became a participant in the Optional Retirement Program beginning after August 31, 1996, the compensation limitation of section 401(a)(17) of the Internal Revenue Code of 1986 applies.

(e) For a person who first became a participant in the Optional Retirement Program before September 1, 1996, the compensation limitation under section 401(a)(17) does not apply. For these persons, the amount of compensation allowed to be taken into account under the plan shall be the amount allowed to be taken into account as of July 1, 1993.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

#### **SENATE BILL 670 ON THIRD READING**

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 670** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1103 ON SECOND READING**

On motion of Senator Henderson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 1103**, Relating to the authority of certain counties to designate areas as scenic districts and to regulate various activities in the districts; providing a penalty.

The bill was read second time and was passed to engrossment by a viva voce vote.

**RECORD OF VOTE**

Senator Galloway asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1103 ON THIRD READING**

Senator Henderson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 1103** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Galloway.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

(Senator Truan in Chair)

**COMMITTEE SUBSTITUTE  
SENATE BILL 440 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 440**, Relating to procedures for applying for a writ of habeas corpus by persons convicted of a felony and procedures for the compensation and appointment of counsel to represent certain persons charged with a capital felony.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 440 ON THIRD READING**

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 440** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**(President in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 115 ON SECOND READING**

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 115**, Relating to certain licenses for failure to pay child support.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 115 ON THIRD READING**

Senator Harris moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 115** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 117 ON SECOND READING**

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 117**, Relating to certain licenses for failure to pay child support.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 117 ON THIRD READING**

Senator Harris moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 117** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**SENATE BILL 294 ON SECOND READING**

On motion of Senator Moncrief and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 294**, Relating to certain offenses involving combinations or criminal street gangs.

The bill was read second time.

Senator Moncrief offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **S.B. 294** by adding the following new SECTIONS to the bill (committee printing, page 1, between lines 47-48), and by renumbering existing SECTIONS of the bill accordingly:

SECTION 3. Section 125.001, Civil Practice and Remedies Code, as amended by Section 1, Chapter 968, and Section 2, Chapter 857, Acts of the 73rd Legislature, Regular Session, 1993, is reenacted and amended to read as follows:

Sec. 125.001. COMMON NUISANCE. A person who knowingly maintains a place to which persons habitually go for the purpose of prostitution or gambling in violation of the Penal Code, ~~[for the purpose of reckless discharge of a firearm as described by Section 42.015, Penal Code,]~~ for the purpose of engaging in organized criminal activity as a member of a combination or as a member of a criminal street gang as described by Section 71.02, Penal Code, or for the delivery or use of a controlled substance in violation of Chapter 481, Health and Safety Code, maintains a common nuisance.

SECTION 4. Section 125.004(b), Civil Practice and Remedies Code, as amended by Section 3, Chapter 857, and Section 2, Chapter 968, Acts of the 73rd Legislature, Regular Session, 1993, is reenacted and amended to read as follows:

(b) Evidence that persons have been convicted of gambling, committing prostitution, ~~[reckless discharge of a firearm as described by Section 42.015, Penal Code,]~~ engaging in organized criminal activity as a member of a combination or a criminal street gang as described by Section 71.02, Penal Code, or delivering or using a controlled substance in violation of Chapter 481, Health and Safety Code, in the place involved is admissible to show knowledge on the part of the defendant that the act occurred. The originals or certified copies of the papers and judgments of those convictions are admissible in the suit for injunction, and oral evidence is admissible to show that the offense for which a person was convicted was committed at the place involved.

SECTION 5. Section 125.004(g), Civil Practice and Remedies Code, is reenacted to read as follows:

(g) Proof that organized criminal activity by a member of a combination or a criminal street gang as described by Section 71.02, Penal Code, is frequently committed at a place or proof that a place is frequently used for engaging in organized criminal activity by a member of a combination or a criminal street gang as described by Section 71.02, Penal Code, is prima facie evidence that the proprietor knowingly permitted the act, unless the act constitutes conspiring to commit an offense as described by Section 71.02, Penal Code.

SECTION 6. Section 125.021, Civil Practice and Remedies Code, as amended by Section 1, Chapter 968, and Section 2, Chapter 857, Acts of the 73rd Legislature, Regular Session, 1993, is reenacted and amended to read as follows:

Sec. 125.021. PUBLIC NUISANCE. The habitual use or the threatened or contemplated habitual use of any place for any of the following purposes is a public nuisance:

- (1) gambling, gambling promotion, or communicating gambling information prohibited by law;
- (2) promotion or aggravated promotion of prostitution;
- (3) compelling prostitution;
- (4) commercial manufacture, commercial distribution, or commercial exhibition of obscene material;
- (5) commercial exhibition of live dances or other acts depicting real or simulated sexual intercourse or deviate sexual intercourse;
- (6) engaging in a voluntary fight between a man and a bull if the fight is for a thing of value or a championship, if a thing of value is wagered on the fight, or if an admission fee for the fight is directly or indirectly charged, as prohibited by law;
- ~~[(7) reckless discharge of a firearm as described by Section 42.015, Penal Code, or]~~
- (7) engaging in organized criminal activity as a member of a combination or as a member of a criminal street gang as described by Section 71.02, Penal Code; or
- (8) delivering or using a controlled substance in violation of Chapter 481, Health and Safety Code.

SECTION 7. Section 125.041, Civil Practice and Remedies Code, as amended by Section 1, Chapter 968, and Section 2, Chapter 857, Acts of the 73rd Legislature, Regular Session, 1993, is reenacted and amended to read as follows:

Sec. 125.041. PUBLIC NUISANCE. For the purposes of this subchapter, a public nuisance is considered to exist at a place if one or more of the following acts occurs at that place on a regular basis:

- (1) gambling, gambling promotion, or communication of gambling information, as prohibited by Chapter 47, Penal Code;
- (2) promotion or aggravated promotion of prostitution, as prohibited by Chapter 43, Penal Code;
- (3) compelling prostitution, as prohibited by Chapter 43, Penal Code;
- (4) commercial manufacture, commercial distribution, or commercial exhibition of material that is obscene, as defined by Section 43.21, Penal Code;
- (5) commercial exhibition of a live dance or other act in which a person engages in real or simulated sexual intercourse or deviate sexual intercourse, as defined by Section 43.01, Penal Code;
- ~~[(6) reckless discharge of a firearm as described by Section 42.015, Penal Code, or]~~

(6) engaging in organized criminal activity as a member of a combination or as a member of a criminal street gang as described by Section 71.02, Penal Code; or

(7) manufacture, delivery, or use of a controlled substance in violation of Chapter 481, Health and Safety Code.

SECTION 8. The heading for Subchapter D, Chapter 125, Civil Practice and Remedies Code, is reenacted to read as follows:

**SUBCHAPTER D. MEMBERSHIP IN CRIMINAL STREET GANG**

SECTION 9. Section 125.061, Civil Practice and Remedies Code, is reenacted to read as follows:

Sec. 125.061. **DEFINITIONS.** In this subchapter, "combination" and "criminal street gang" have the meanings assigned by Section 71.01, Penal Code.

SECTION 10. Section 125.062, Civil Practice and Remedies Code, is reenacted to read as follows:

Sec. 125.062. **PUBLIC NUISANCE; COMBINATION OR CRIMINAL STREET GANG.** A combination or criminal street gang that continuously or regularly associates in organized criminal activities as described by Section 71.02, Penal Code, is a public nuisance.

SECTION 11. Section 125.064(b), Civil Practice and Remedies Code, is reenacted to read as follows:

(b) Any person who habitually associates with others to engage in organized criminal activity as a member of a combination or criminal street gang may be made a defendant in the suit. Any person who owns or is responsible for maintaining a place that is habitually used for engaging in organized criminal activity as described by Section 71.02, Penal Code, may be made a defendant in the suit.

SECTION 12. Section 125.065(a), Civil Practice and Remedies Code, is reenacted to read as follows:

(a) If the court finds that a combination or criminal street gang constitutes a public nuisance, the court may enter an order enjoining a defendant in the suit from engaging in the organized criminal activities of the combination or gang.

SECTION 13. Section 125.069, Civil Practice and Remedies Code, is reenacted to read as follows:

Sec. 125.069. **USE OF PLACE; EVIDENCE.** In an action brought under this subchapter, proof that organized criminal activity by a member of a combination or a criminal street gang as described by Section 71.02, Penal Code, is frequently committed at a place or proof that a place is frequently used for engaging in organized criminal activity by a member of a combination or a criminal street gang as described by Section 71.02, Penal Code, is prima facie evidence that the proprietor knowingly permitted the act, unless, the act constitutes conspiring to commit an offense as described by Section 71.02.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.



**SENATE BILL 294 ON THIRD READING**

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 294** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**MESSAGE FROM THE HOUSE**

House Chamber

April 10, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 140**, In memory of Joe Manor.

Respectfully,

Cynthia Gerhardt, Chief Clerk

House of Representatives

**COMMITTEE SUBSTITUTE****SENATE BILL 513 ON SECOND READING**

On motion of Senator Moncrief and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 513**, Relating to the requirement that a facility accepting a prospective voluntary inpatient mental health consumer for treatment have a physician's signed order.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE****SENATE BILL 513 ON THIRD READING**

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 513** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE****SENATE BILL 262 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 262**, Relating to reports of, and suits for the protection of, abused children; providing a criminal penalty.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 262 ON THIRD READING**

Senator Leedom moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 262** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**RECORD OF VOTE**

Senator Moncrief asked to be recorded as voting "Nay" on the final passage of the bill.

**GUEST PRESENTED**

Senator Rosson was recognized and introduced to the Senate the Mayor of El Paso, Larry Francis.

The Senate welcomed Mayor Francis.

**FLOOR PRIVILEGES GRANTED**

On motion of Senator Sibley and by unanimous consent, floor privileges were granted to members of Senator Sims' staff for the remainder of this session as deemed necessary by Senator Sims.

**COMMITTEE SUBSTITUTE  
SENATE BILL 731 ON SECOND READING**

On motion of Senator Galloway and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 731**, Relating to the authority to dissolve the Oak Ridge Municipal Utility District and the assumption of its assets and obligations by a municipality.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 731 ON THIRD READING**

Senator Galloway moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 731** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**SENATE BILL 707 ON SECOND READING**

On motion of Senator Rosson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 707**, Relating to the accessibility of certain glues and paints to business patrons in certain municipalities.

The bill was read second time.

Senator Rosson offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **S.B. 707** as follows:

(1) In SECTION 1, Section 485.018(b)(2) (page 1, line 11), strike "glue or".

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**SENATE BILL 707 ON THIRD READING**

Senator Rosson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 707** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(Senator Ratliff in Chair)

**SENATE BILL 337 ON THIRD READING**

Senator Zaffirini moved that the regular order of business be suspended and that **S.B. 337** be placed on its third reading and final passage.

**S.B. 337**, Relating to requiring the use of protective helmets for bicycle safety.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Armbrister, Barrientos, Cain, Ellis, Gallegos, Galloway, Haywood, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Patterson, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Bivins, Brown, Harris, Henderson, Nixon, Ratliff, Rosson, Shapiro, Sibley.

The bill was read third time.

(President in Chair)

(Senator Truan in Chair)

(President in Chair)

Senator Moncrief offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend S.B. 337, by adding the following new language on line 51, page 2:

Sec. 758.006. CRIMINAL PENALTY. (a) A person commits an offense if the person violates Section 758.004(c) or 758.005.

(b) An offense under this section is a misdemeanor punishable by a fine of \$50.

(c) A court may waive the fine imposed under this section for a violation of Section 758.004 if it is the person's first offense and the person presents proof to the court that the person did not have a protective bicycle helmet at the time of the violation, but has since purchased or obtained a protective bicycle helmet.

Sec. 758.007. FINES. The custodian of the county treasury shall keep a record of the amount of the fines collected under Section 758.006 and, on or before the last day of the month following each calendar quarter, remit to the comptroller the fines collected under Section 758.006 in the preceding quarter. The custodian of the county treasury may retain one-half of the fines collected under Section 758.006 and the interest as a service fee if the custodian of the treasury keeps records of the amount of fines on deposit collected under Section 758.006 and remits the funds to the comptroller within the period prescribed by this section. The comptroller shall deposit the fines remitted under this section in the bicycle safety fund established under Section 758.003.

The amendment was read.

On motion of Senator Moncrief and by unanimous consent, the amendment was withdrawn.

**(Senator Montford in Chair)**

Senator Turner offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend S.B. 337 as follows:

In SECTION 1 of the bill, add Section 758.006, Health and Safety Code, to read as follows:

758.006. Compliance or noncompliance with Section 758.004 or 758.005(b) of this Chapter is not admissible as evidence in a civil trial.

By unanimous consent, the amendment was read and was adopted by a viva voce vote.

The bill as again amended was finally passed by the following vote: Yeas 20, Nays 11.

Yeas: Armbrister, Barrientos, Ellis, Gallegos, Galloway, Haywood, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Patterson, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

## GUEST PRESENTED

The Senate welcomed Governor Bush.

**SENATE RULE 11.19 SUSPENDED**  
**(Posting Rule)**

**(President in Chair)**

(Senator Truan in Chair)

<b>S.B. 1648</b> by Nixon	Jurisprudence
Relating to the abolishment of administrative judicial regions.	

**S.B. 1649** by Luna, Gallegos State Affairs  
Relating to the exemption of certain peace officers from provisions of the  
Private Investigators and Private Security Agencies Act.

#### **HOUSE BILLS AND RESOLUTION ON FIRST READING**

The following bills and resolution received from the House were read  
first time and referred to the committees indicated:

**H.C.R. 87** to Committee on Administration.  
**H.B. 46** to Committee on Economic Development.  
**H.B. 308** to Committee on Criminal Justice.  
**H.B. 325** to Committee on Natural Resources.  
**H.B. 1422** to Committee on Economic Development.  
**H.B. 1612** to Committee on Economic Development.  
**H.B. 2182** to Committee on Finance.  
**H.B. 2727** to Committee on Criminal Justice.

#### **MEMORIAL RESOLUTIONS**

**S.R. 662** - By Montford: In memory of Ruth Utzman of Goldthwaite.

**S.R. 664** - By Montford: In memory of Dr. Bill W. Armistead of  
Littlefield.

**S.R. 665** - By Montford: In memory of Tom Barnes of Lubbock.

**S.R. 667** - By Montford: In memory of Martha M. Magness of  
Lubbock.

**H.C.R. 51** - (Galloway): In memory of Benjamin Joseph Rogers of  
Beaumont.

**H.C.R. 52** - (Galloway): In memory of James Ronald "Ronnie"  
McWaters of Cleveland, Texas.

**H.C.R. 140** - (Patterson): In memory of Joe Manor of Travis County.

#### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 650** - By Brown: Commending Mrs. Betty Cox for her  
contributions to her community of Missouri City.

**S.R. 651** - By Zaffirini: Recognizing the Martin High School Mariachi  
Los Tigres del Sur of Laredo for their work in preserving an important part  
of Texas culture.

**S.R. 652** - By Whitmire: Congratulating Gina A. Tran of Houston,  
recently named to the 1995 FINA/*Dallas Morning News* All-State  
Scholar-Athlete Team.

**S.R. 653** - By Whitmire: Congratulating the Reverend Hayward  
Wiggins and his wife, Sister Audrey Wiggins, on their 31st wedding  
anniversary and for their service to Gethsemane Missionary Baptist Church  
of Harris County.

**S.R. 654** - By Cain: Congratulating Mr. and Mrs. Earnest Berry of  
Leonard on their 50th wedding anniversary.

**S.R. 655** - By Cain: Congratulating Mr. and Mrs. James Piott of Trenton on their 50th wedding anniversary.

**S.R. 656** - By Cain: Congratulating Mr. and Mrs. James Hamilton of Greenville on their 50th wedding anniversary.

**S.R. 657** - By Barrientos: Welcoming 1995 Grammy Award winner Albertina Walker to the Saint James Baptist Church of Austin.

**S.R. 658** - By Ellis: Congratulating Chris K. and Gifty Adoma Wilmot on the birth of their daughter, Esther Sarah Ama Wilmot.

**S.R. 659** - By Ellis: Congratulating British Airways on its 75th anniversary.

**S.R. 660** - By Montford: Proclaiming April 13, 1995, as Gary Greenstreet Day.

**S.R. 661** - By Montford: Expressing gratitude to Professor W. Reed Quilliam, Jr., on the occasion of his retirement from Texas Tech University School of Law.

**S.R. 663** - By Montford: Commending Owen H. Ivie on the occasion of his retirement from the Colorado River Municipal Water District.

**S.R. 666** - By Montford: Commending Leland White of Tahoka for his achievements as State Director of the Texas Farm Bureau.

**S.R. 668** - By Ratliff: Commending Ygnacio D. Garza for his contributions as chairman of the Texas Parks and Wildlife Commission.

**H.C.R. 118** - (Truan): Commemorating the sesquicentennial of Texas statehood.

**H.C.R. 138** - (Ratliff): Commending Dr. John F. Moss for his service as president of East Texas State University at Texarkana.

#### **ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 12:18 p.m. adjourned, in memory of Joe Manor, until 11:00 a.m. tomorrow.

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#### **APPENDIX**

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##### **REPORTS OF STANDING COMMITTEES**

The following committee reports were received by the Secretary of the Senate:

April 7, 1995

**FINANCE** — **S.B. 428, C.S.S.B. 1445, C.S.S.B. 1614, C.S.S.B. 1446, C.S.S.B. 384**

**STATE AFFAIRS** — **H.B. 889 (Amended), H.B. 731, S.C.R. 74, S.B. 1252, S.B. 1159, S.B. 980, S.B. 1020, S.B. 695, C.S.S.B. 646, C.S.S.B. 621, C.S.S.B. 14**

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FINANCE — C.S.S.B. 671

CRIMINAL JUSTICE — C.S.S.B. 494, S.B. 249, C.S.S.B. 308,  
C.S.S.B. 1051, C.S.S.B. 130, C.S.S.B. 346, S.B. 39, S.B. 1090

NATURAL RESOURCES — H.B. 1219, S.B. 248, S.B. 1356,  
H.B. 2049, H.B. 2050, S.B. 1282, S.B. 1313 (Amended), C.S.S.B. 1357

April 10, 1995

FINANCE — S.B. 1526, S.B. 867, C.S.S.B. 103, C.S.S.B. 1577

NATURAL RESOURCES — C.S.S.B. 1125, C.S.S.B. 1126



**In Memory****of****Joe Manor**

Senator Patterson offered the following resolution:

**(Senate Concurrent Resolution 120)**

WHEREAS, The recent passing of Joe Manor on March 6, 1995, at the age of 86, has deeply saddened the many friends and relatives of this esteemed Austin businessman and civic leader; and

WHEREAS, A third-generation Travis County resident, Mr. Manor could trace his proud lineage in this state back to distinguished forebears who accompanied Sam Houston to Texas in the 1830s; the town of Manor was named for his great-uncle, James Manor, who chose to settle in the area east of Austin after his arrival in Texas; and

WHEREAS, The cofounder and owner of Hyltin-Manor Funeral Home in Austin until his retirement in 1975, Mr. Manor began his career in the funeral business in 1929 and, during more than four decades of outstanding service, lent much needed comfort and assistance to countless bereaved individuals, and the great sincerity, compassion, and professionalism he exhibited in the workplace earned him the lasting regard of his fellow citizens; and

WHEREAS, Mr. Manor rose to prominence in his field and provided staunch leadership to his professional colleagues throughout his tenure as president of the South Central Texas Funeral Directors Association and as a board member of the Texas Funeral Directors Association, to which he proved an invaluable asset as a member of its legislative committee for many years; and

WHEREAS, His extensive experience in the funeral profession led to his appointment by Governor Preston Smith to the State Board of Morticians, now the Texas Funeral Service Commission, and in 1971 he was chosen to lead the board as its president; and

WHEREAS, Mr. Manor took pride in his civic responsibilities as well and was active in community and business affairs as a member of the Headliners Club, as the founder and chairman of the Greater Austin Association, as a life member and former president of the Austin Downtown Optimist Club and the Austin Junior Chamber of Commerce, as a former board member of the Greater Austin Chamber of Commerce, and as a charter member of the Austin Better Business Bureau; and

WHEREAS, In addition, this admirable gentleman belonged to several fraternal organizations, including the Ben Hur Shrine Temple, the Ben Hur Shrine Drum & Bugle Corps, and the Quiet Birdmen Squadron; he also was a dedicated Aquafest volunteer and had contributed to the success of this popular Austin festival for

many years through his exemplary service in such demanding posts as captain, vice president, commodore, and president of the organization; and

WHEREAS, In recognition of the many significant contributions Mr. Manor made to the benefit of his community and profession, he was named the deserving recipient of the Optimist International Golden Circle Award, the 50 Year License Award by the Texas Funeral Directors Association, and the 50 Year Member Award by his lodge brothers in Capitol Lodge No. 23 I.O.O.F.; and

WHEREAS, A man who espoused the traditional values of love of family, God, and country, he enjoyed a happy and rewarding marriage with his beloved wife, Mildred Briscoe Manor, until her passing in 1993 and was equally devoted to his daughter, Marcia Ann, his three grandchildren, and his great-grandson; in his youth, he served the war effort by training pilots at Hicks Air Field in Fort Worth and he also was a lifelong Baptist who served as a longtime member of the Webberville Baptist Church; and

WHEREAS, Joe Manor gave generously of himself to others for many years through his numerous professional and civic endeavors and his friendship, wisdom, and kindness enriched the lives of all who were fortunate to know him; though his presence is gone from us now, his many accomplishments and good deeds will continue to endure for many years to come as a lasting reminder of this extraordinary Texan; now, therefore, be it

RESOLVED, That the 74th Legislature of the State of Texas hereby pay tribute to the life of Joe Manor and extend heartfelt sympathy to the members of his family: to his daughter, Marcia Ann Manor of Austin; to his grandchildren, Richard S. Foster, Jr., of Austin, Elizabeth Allene Foster of Houston, and Robert Manor Foster of Austin; to his great-grandson, Skyler Hudson Foster of Austin; to his sister-in-law, Allene Barker of Manchaca; and to the many other friends and relatives of this fine man; and, be it further

RESOLVED, That an official copy of this resolution be prepared for the members of his family and that when the Texas House of Representatives and Senate adjourn this day, they do so in memory of Joe Manor.

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Patterson and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.